

United States District Court for the Southern District of New York

New Trail Capital and Michael Beer

v.

The Northwest Company

Case Number: 07 Civ. 9679 (LAK)(RLE)

Response to Subpoena dated February 5, 2008

Issued to Silverberg Stonehill Goldsmith & Haber, P.C.

Privilege Log (Attorney Client Privilege)

1. Email from Shay Auerbach to Sheldon Silverberg dated August 18, 2006
2. Email from Peter Mansour to Shay Auerbach dated August 15, 2006
3. Draft Letter of Intent dated December __, 2005 attorney mark up
4. Redline Draft Letter of Intent dated December __, 2005 attorney hand written mark up
5. Draft Letter of Intent dated December __, 2005 attorney mark up
6. Draft Letter of Intent dated December 22, 2005 attorney mark up
7. Draft Letter of Intent dated December 22, 2005 attorney mark up
8. Draft Letter of Intent dated December __, 2005 attorney mark up
9. Redline Draft Confidentiality Agreement dated January 5, 2006 attorney hand written mark up
10. Email from Peter Mansour to Danielle Baum dated Monday June 13, 2005
11. Email from Peter Mansour to Sheldon Silverberg dated June 29, 2006
12. Draft Letter of Intent dated December __, 2005 attorney mark up
13. Draft Letter of Intent dated December __, 2005 attorney mark up
14. Draft Letter of Intent dated December __, 2005 attorney mark up
15. Redline Draft Letter of Intent dated January 3, 2006 attorney hand written mark up
16. Redline Draft Confidentiality Agreement dated January 3, 2006 attorney hand written mark up
17. Redline Draft Confidentiality Agreement dated January 5, 2006 attorney hand written mark up
18. Redline Draft Confidentiality Agreement dated January 3, 2006 attorney hand written mark up
19. Redline Draft Confidentiality Agreement dated January 3, 2006 attorney hand written mark up
20. Memorandum by Jay Silverberg to Martha J. Flanders and Asaf Hahami dated August 2, 2006 attorney hand mark up
21. Email from Jay Silverberg to Michael Goldsmith and Sheldon Silverberg dated August 3, 2006

22. Fax correspondence from Sheldon Silverberg to Shay Auerbach dated January 11, 2006 with attachment
23. Email from Peter Mansour to Shay Auerbach dated June 29, 2006
24. Email from Peter Mansour to Shay Auerbach dated July 5, 2006
25. Email from Peter Mansour to Ken Gould, Sheldon Silverberg and Ross Auerbach dated July 17, 2006
26. Email from Shay Auerbach to Sheldon Silverberg dated June 28, 2006
27. Email from Shay Auerbach to Sheldon Silverberg dated June 28, 2006
28. Email from Shay Auerbach to Ken Gould, Sheldon Silverberg and Ross Auerbach dated July 17, 2006
29. Email from Peter Mansour to Shay Auerbach, Jay Silverberg and Sheldon Silverberg dated July 26, 2006
30. Email from Shay Auerbach to Jay Silverberg and Sheldon Silverberg dated July 25, 2006
31. Email sent by Peter Mansour and behalf of Sheldon Silverberg to Shay Auerbach, and Jay Silverberg dated July 26, 2006
32. Email from Shay Auerbach to Jay Silverberg and Sheldon Silverberg dated July 25, 2006
33. Email from Jay Silverberg to Shay Auerbach and Ross Auerbach dated July 25, 2006
34. Email from Shay Auerbach to Jay Silverberg and Sheldon Silverberg dated July 25, 2006
35. Email from Jay Silverberg to Shay Auerbach dated July 25, 2006
36. Email from Shay Auerbach to Jay Silverberg and Sheldon Silverberg dated July 25, 2006
37. Email from Jay Silverberg to Shay Auerbach and Ross Auerbach dated July 25, 2006
38. Email sent by Peter Mansour on behalf of Sheldon Silverberg to Shay Auerbach, Jay Silverberg and Sheldon Silverberg dated July 26, 2006
39. Emails from Shay Auerbach to Sheldon Silverberg dated July 26, 2006
40. Emails from Shay Auerbach to Sheldon Silverberg dated July 26, 2006
41. Email from Danielle Baum to Sheldon Silverberg dated June 14, 2005
42. Email from Peter Mansour to Shay Auerbach dated Tuesday August 15, 2006
43. Email from Peter Mansour to Sheldon Silverberg and Jay Silverberg dated August 18, 2006
44. Email from Shay Auerbach to Sheldon Silverberg dated July 5, 2006
45. Fax correspondence to Shay Auerbach from Sheldon Silverberg dated January 12, 2006
46. Email from Michael Goldsmith to Danielle Baum dated November 8, 2006
47. Email from Michael Goldsmith to Jay Silverberg dated November 8, 2006
48. Email from Jay Silverberg to Michael Goldsmith dated November 9, 2006
49. Hand marked draft Letter of Intent dated November , 2005
50. Email from Shay Auerbach to Jay Silverberg and Sheldon Silverberg dated July 25, 2006
51. Email from Jay Silverberg to Peter Mansour dated June 19, 2007
52. Email from Shay Auerbach from Sheldon Silverberg dated June 28, 2006

53. Email from Peter Mansour to Sheldon Silverberg dated June 29, 2006
54. Email from Peter Mansour to Shay Auerbach dated June 29, 2006
55. Letter from Sheldon Silverberg to Shay Auerbach dated June 29, 2006
56. Email from Jay Silverberg to Shay Auerbach dated July 25, 2006
57. Email from Shay Auerbach to Jay Silverberg and Sheldon Silverberg dated July 25, 2006
58. Hand marked email from Martha Flanders to Sheldon Silverberg and Michelle Mansour dated June 15, 2006
59. Email from Jay Silverberg to Peter Mansour dated August 3, 2006
60. Hand marked draft Sale and Contribution Agreement dated June 15, 2006
61. Hand marked draft Sale and Contribution Agreement dated June 15, 2006
62. Hand marked redline draft Sale and Contribution Agreement (no date)
63. Hand marked draft Sale and Contribution Agreement dated June 15, 2006
64. Email from Jay Silverberg to Shay Auerbach dated July 27, 2006

MOSES & SINGER LLP

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May 16, 2008

VIA EMAIL ONLY

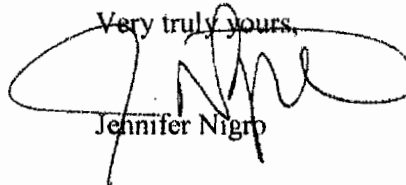
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**Re: New Trail Capital v. The Northwest Company, Inc.,
Index. No. 07 cv 09679**

Dear Mr. Jensen:

In response to your letter dated May 13, 2008, this is to inform you that the documents bearing Bates numbers: MS 0003 and 0015 were redacted on the basis of relevance (non-responsive); 0026-28 and 0057-58 contained handwritten notes of Northwest's attorney(s) made in anticipation of litigation, which were redacted on the basis of the attorney work-product doctrine.

Very truly yours,



Jennifer Nigro

cc: Philippe Zimmerman, Esq.